

AMENDED IN ASSEMBLY JUNE 29, 2004

AMENDED IN SENATE MAY 13, 2004

AMENDED IN SENATE MAY 3, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1259

Introduced by Senator Murray

February 12, 2004

An act to amend Section 32569 of the Public Resources Code, relating to the Baldwin Hills Conservancy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1259, as amended, Murray. Public resources: Baldwin Hills Conservancy: property acquisition: appraisals.

Existing law establishes the Baldwin Hills Conservancy in the Resources Agency for the purpose, among other things, of acquiring lands for open space within the territory of the conservancy. Existing law authorizes the conservancy to acquire real property at fair market value and consistent with the Property Acquisition Law, except that the acquisition price of lands acquired from public agencies may be based on the public agencies' costs to acquire the land.

This bill would authorize the conservancy to contract with ~~MAI~~ certified appraisers *who are licensed by the state*, to conduct state standard land appraisals required for the Department of General Services or the *State* Public Works Board land acquisition approval processes, and to utilize other public agencies with oil field acquisition and management experience to approve appraisal valuations for submission to the *State* Public Works Board.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 32569 of the Public Resources Code is
2 amended to read:
3 32569. (a) The conservancy may award grants to local public
4 agencies, state agencies, federal agencies, and nonprofit
5 organizations for the purposes of this division.
6 (b) Grants to nonprofit organizations for the acquisition of real
7 property or interests in real property shall be subject to all of the
8 following conditions:
9 (1) The conservancy may acquire property at fair market value
10 and consistent with the Property Acquisition Law (Part 11
11 (commencing with Section 15850) of Division 3 of Title 2 of the
12 Government Code), except that the acquisition price of lands
13 acquired from public agencies may be based on the public
14 agencies' cost to acquire the land.
15 (2) The conservancy shall approve the terms under which the
16 interest in land is acquired.
17 (3) The interest in land acquired pursuant to a grant from the
18 conservancy may not be used as security for any debt incurred by
19 the nonprofit organization unless the conservancy approves the
20 transaction.
21 (4) The transfer of land acquired pursuant to a grant shall be
22 subject to the approval of the conservancy and the execution of an
23 agreement between the conservancy and the transferee sufficient
24 to protect the interests of the conservancy.
25 (5) The conservancy shall have a right of entry and power of
26 termination in and over all interests in real property acquired with
27 state funds, which may be exercised if any essential term or
28 condition of the grant is violated.
29 (6) If the existence of the nonprofit organization is terminated
30 for any reason, title to all interest in real property acquired with
31 state funds shall immediately vest in the conservancy, except that,
32 prior to that termination, another public agency or nonprofit
33 organization may receive title to all or a portion of that interest in
34 real property, by recording its acceptance of title, together with the
35 conservancy's approval, in writing.



1 (c) Any deed or other instrument of conveyance whereby real
2 property is acquired by a nonprofit organization pursuant to this
3 section shall be recorded and shall set forth the executory interest
4 or right of entry on the part of the conservancy.

5 (d) The conservancy may contract with certified appraisers
6 who are ~~members of the Appraisal Institute (MAI-certified)~~
7 *licensed by the state* to conduct standard state land appraisals
8 required for the Department of General Services or the *State*
9 Public Works Board land acquisition approval processes. The
10 conservancy may utilize other public agencies with oil field
11 acquisition and management experience to approve appraisal
12 valuations for submission to the *State* Public Works Board.

